

OIP  
APR 10 2004  
CANCELLED  
PATENT & TRADEMARK OFFICE

04-07-04

1654

# AMENDMENT TRANSMITTAL LETTER

Docket No.  
01946/100D864-US1

Application No.  
09/762,067-Conf. #7883

Filing Date  
August 3, 2001

Examiner  
Audet, Maury A.

Art Unit  
1654

Applicant(s): Gschneidner et al.

Invention: COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED  |                                  |                                |                             |         |          |
|--|----------------------------------|--------------------------------|-----------------------------|---------|----------|
|  | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate    |          |
| Total Claims   | 85                               | - 20 =                         | 65                          | x 18.00 | 1170.00  |
| Independent Claims   | 1                                | - 3 =                          | 0                           | x       |          |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |                                  |                                |                             |         |          |
| Other fee (please specify): Extension for response within fifth month    |                                  |                                |                             |         | 2,010.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:                                 |                                  |                                |                             |         | 3,180.00 |

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.


☒ A check in the amount of \$ 3,180.00 to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-0100 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

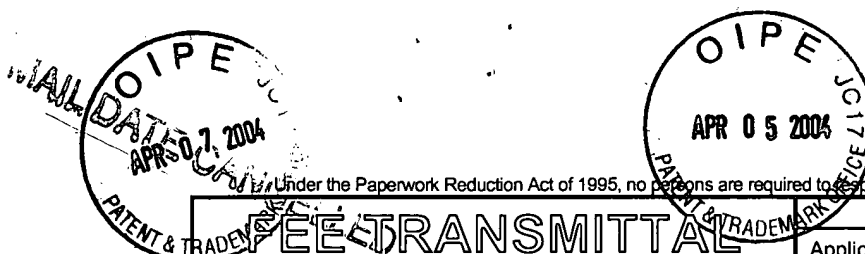
  
Jason C. Chumney  
Attorney Reg. No.: 54,781

Dated: April 5, 2004

DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7783

Express Mail Label No. EL 983947987 US

Dated: April 5, 2004



PTO/SB/17 (10-03)  
Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |  |                          |                        |                   |
|--|--|--------------------------|------------------------|-------------------|
| <b>FEE TRANSMITTAL</b><br><b>for FY 2004</b><br><small>Effective 10/01/2003, Patent fees are subject to annual revision.</small> |  | <b>Complete if Known</b> |                        |                   |
|  |  | Application Number       | 09/762,067-Conf. #7883 |                   |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27   |  | Filing Date              | August 3, 2001         |                   |
|  |  | First Named Inventor     | Gschneider et al.      |                   |
|  |  | Examiner Name            | Audet, Maury A.        |                   |
| TOTAL AMOUNT OF PAYMENT (\$)   |  | 3,180.00                 | Attorney Docket No.    | 01946/100D864-US1 |

**METHOD OF PAYMENT** (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number: 04-0100

Deposit Account Name: Darby & Darby P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 1001                  | 770                   | 2001                  | 385                   | Utility filing fee     |          |
| 1002                  | 340                   | 2002                  | 170                   | Design filing fee      |          |
| 1003                  | 530                   | 2003                  | 265                   | Plant filing fee       |          |
| 1004                  | 770                   | 2004                  | 385                   | Reissue filing fee     |          |
| 1005                  | 160                   | 2005                  | 80                    | Provisional filing fee |          |
| <b>SUBTOTAL (1)</b>   |                       |                       |                       |                        | 0.00     |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims: 85 -20\*\* = 65 x 18 = 1170.00

Independent Claims: 1 -3\*\* = x =

Multiple Dependent: x =

| Large Entity Fee Code       | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  |
|-----------------------------|-----------------------|-----------------------|-----------------------|--|
| 1202                        | 18                    | 2202                  | 9                     | Claims in excess of 20                                     |
| 1201                        | 86                    | 2201                  | 43                    | Independent claims in excess of 3                          |
| 1203                        | 290                   | 2203                  | 145                   | Multiple dependent claim, if not paid                      |
| 1204                        | 86                    | 2204                  | 43                    | ** Reissue independent claims over original patent         |
| 1205                        | 18                    | 2205                  | 9                     | ** Reissue claims in excess of 20 and over original patent |
| <b>SUBTOTAL (2)</b> 1170.00 |                       |                       |                       |  |

\*\*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity                      |          | Small Entity |          | Fee Description  | Fee Paid      |
|-----------------------------------|----------|--------------|----------|--|---------------|
| Fee Code                          | Fee (\$) | Fee Code     | Fee (\$) |  |               |
| 1051                              | 130      | 2051         | 65       | Surcharge – late filing fee or oath  |               |
| 1052                              | 50       | 2052         | 25       | Surcharge – late provisional filing fee or cover sheet.                    |               |
| 1053                              | 130      | 1053         | 130      | Non-English specification  |               |
| 1812                              | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |               |
| 1804                              | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |               |
| 1805                              | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |               |
| 1251                              | 110      | 2251         | 55       | Extension for reply within first month                                     |               |
| 1252                              | 420      | 2252         | 210      | Extension for reply within second month                                    |               |
| 1253                              | 950      | 2253         | 475      | Extension for reply within third month                                     |               |
| 1254                              | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |               |
| 1255                              | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     | 2,010.00      |
| 1401                              | 330      | 2401         | 165      | Notice of Appeal   |               |
| 1402                              | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |               |
| 1403                              | 290      | 2403         | 145      | Request for oral hearing   |               |
| 1451                              | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |               |
| 1452                              | 110      | 2452         | 55       | Petition to revive – unavoidable   |               |
| 1453                              | 1,330    | 2453         | 665      | Petition to revive - unintentional   |               |
| 1501                              | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |               |
| 1502                              | 480      | 2502         | 240      | Design issue fee   |               |
| 1503                              | 640      | 2503         | 320      | Plant issue fee  |               |
| 1460                              | 130      | 1460         | 130      | Petitions to the Commissioner  |               |
| 1807                              | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |               |
| 1806                              | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |               |
| 8021                              | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |               |
| 1809                              | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |               |
| 1810                              | 770      | 2810         | 385      | For each additional invention to be examined (37CFR 1.129(b))              |               |
| 1801                              | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |               |
| 1802                              | 900      | 1802         | 900      | Request for expedited examination of a design application                  |               |
| Other fee (specify)               |          |              |          |  |               |
| *Reduced by Basic Filing Fee Paid |          |              |          |  |               |
| SUBTOTAL (3)                      |          |              |          |  | (\$) 2,010.00 |

**SUBMITTED BY** (Complete if applicable)

|                   |                  |                                   |               |           |                |
|-------------------|------------------|-----------------------------------|---------------|-----------|----------------|
| Name (Print/Type) | Jason C. Chumney | Registration No. (Attorney/Agent) | 54,781        | Telephone | (212) 527-7765 |
| Signature         |                  | Date                              | April 5, 2004 |           |                |





**Dated:**

APR 05 2004

A circular ink stamp from the U.S. Patent and Trademark Office. The text "U.S. PATENT &amp; TRADEMARK OFFICE" is arranged in a circle around the date "APR 07 2004". The stamp is partially obscured by other markings on the document.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/762,067

Confirmation No.: 7883

Filed: August 3, 2001

Art Unit: 1654

For: COMPOUNDS AND COMPOSITIONS FOR  
DELIVERING ACTIVE AGENTS

Examiner: Maury A. Audet

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Office Action mailed October 3, 2003, please consider the following remarks. This response is accompanied by a Petition for Extension of Time for five months to and including April 5, 2004 (April 3, 2004 fell on a Saturday).

**Amendments to the Claims** begin on page 2 of this submission.

**Remarks** begin on page 12 of this submission.

04/08/2004 KBETEMA1 00000059 09762067

01 FC:1202

1170.00 OP